

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WILLIAM DANIEL KAVANAUGH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:19-cv-3256-MTS
)	
DUSTIN EDWARDS, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the Court on review of the file. Plaintiff named John Doe #1 and John Doe #2 as Defendants in this action, but Plaintiff has not provided proof of service for these Defendants nor provided the Court service information for them so that the Clerk of Court could issue process or cause process to issue to them. *See* 28 U.S.C. § 1915(d); Doc. [8] (granting Plaintiff’s Motion to Proceed in Forma Pauperis). Pursuant to Federal Rule of Civil Procedure 4(m), if a defendant is not served within ninety days after the complaint is filed, the Court “must dismiss the action without prejudice against that defendant” or “order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Well over ninety days have passed since Plaintiff filed his Amended Complaint, Doc. [43]. *See also* Doc. [15] at 18–19 (providing Plaintiff time during discovery to ascertain these Defendants’ identities so they may be served).

Accordingly,

IT IS HEREBY ORDERED that, no later than **Thursday, April 27, 2023**, Plaintiff must file proof of service of Defendants John Doe #1 and John Doe #2 or must provide the Court with service information for these Defendants. The failure to do so will result in dismissal of this action against Defendants John Doe #1 and John Doe #2 without prejudice pursuant to Federal Rule of

Civil Procedure 4(m).

Dated this 17th day of April 2023.

A handwritten signature in black ink, appearing to read 'MTS', is written above a horizontal line.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE